

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HAMLET GARCIA II,
Plaintiff,

v.

ANGELICA M. CRUZ, et al.,
Defendants.

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Case No. 2:25-cv-00440-JDW

ORDER

AND NOW, this 28th day of March, 2025, upon consideration of Movant's Motion For [Re]Consideration (ECF No. 21), it is **ORDERED** that the Motion is **DENIED** because Mr. Garcia has not shown a basis for me to revisit my Order denying his recusal motion. He does not identify new facts, an intervening change in law, or any clear error of fact or law.

It is **FURTHER ORDERED** that, upon consideration of Mr. Garcia's Motion To Proceed *In Forma Pauperis* (ECF No. 22), the Motion is **GRANTED** for the reasons stated in the accompanying Memorandum.

It is **FURTHER ORDERED** that the Complaint is **DEEMED** filed.

It is **FUTHER ORDERED** that, for the reasons stated in the accompanying Memorandum and pursuant to 28 U.S.C. § 1915(a), the Complaint is **DISMISSED IN PART WITH PREJUDICE AND IN PART WITHOUT PREJUDICE**, as follows:

1. All federal law claims are **DISMISSED WITH PREJUDICE**; and

2. All state law claims are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

It is **FURTHER ORDERED** that the following Motions are **DENIED AS MOOT**:

1. The Mandatory Motion For Immediate Waiver Recognition & Constitutional Entry (ECF No. 17);
2. The Motion To Compel, Enforce Clerk's Statutory Duties, And/Or Grant Relief (ECF No. 20); and
3. The Emergency Motion To Expedite Proceedings (ECF No. 23).

The Clerk of Court shall mark this case closed.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.